

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 21, 1957
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. HARRY PESNELL, Harris Memorial Baptist Church, 601 East 16th Street.

Councilman White moved that the Minutes of February 14, 1957 be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MR. JOHN PAYNE asked the Council to postpone any decision on the alley between Avondale Road, Travis Heights Boulevard, Milam Place and Alta Vista, until next week. The Council complied with his request.

MR. EDDIE JOSEPH asked the Council to weigh every consideration and proposal carefully with regard to a franchise for the community antenna system, and give due consideration to those people who have made their livelihood in the motion picture business in Austin and who have a heavy investment they need to protect. MR. W. O. REED, Dallas, representing the General Counsel for the Council of the Motion Picture Organization in Texas, stated they were vitally interested in being notified or advised about the community antenna development here. The Mayor asked the City Attorney to set out exactly what had to be done about a franchise of this nature. The City Attorney explained the franchise provisions. The Mayor assured everyone that public hearings would be held and the matter investigated very thoroughly.

MRS. JESSE S. MCGREW, 4612 Madrona Drive, read a statement asking the Council to reject the petition of the local TV station and give the franchise to the independent company, if a franchise were granted. She believed the subscription TV was not the answer to better television entertainment, but another TV station here. (Statement on file under TELEVISION)

MR. CAREY CRUTCHER, University student representing a student organization "CHARROS" asked permission to use a part of the Hancock Golf Course on April 5th and 6th to hold the first annual intercollegiate rodeo. He set out plans for the rodeo. After discussion, Councilman Long moved that the City Manager be instructed to work out the details in allowing the Charros Organization to use the Hancock tract, at most, ten days, and all details including liability, and cleaning up the park, to be worked out to the letter by the City Manager and his staff. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Long stated that the Council did not contact the Park and Recreation Board concerning granting this, since it was a temporary arrangement and would be used for only ten days, and it did not think it necessary. She asked Mr. Sheffield to make note of that and pass it on to the Recreation Board.

The Council received the request of MR. W. L. MAYFIELD, President of the Northwest Little League, to use the land at the Gullett School Playground for little league baseball activities. The following recommendation of the Parks Board was read:

"February 21, 1957

"Memorandum to: The City Council

"At a meeting of the Parks and Recreation Board Wednesday afternoon, February 20, 1957, the Board heard a request from Mr. W. L. Mayfield, President of the Northwest Little League, for a site to build a Little League field. Mr. Mayfield, in a letter to Mr. Sheffield, Director of Recreation, stated the following plan for the construction of the field:

"...its installation will be in keeping with the general development of the neighborhood. It is our plan to install water lines, to install lights, to erect a chain link fence, and to construct a permanent backstop and bleachers. We also wish to construct a permanent rock veneer storage and concession building."

"The Parks and Recreation Board members voted to recommend to the City Council that permission be granted to the Northwest Little League to build on Gullett Playground provided the field can be fitted into the layout of the playground facilities and that the signs used on the ball field fence be portable so they may be removed at the end of the baseball season. It is also the wish and suggestion of the Board that the plan of the Little League field and the plan of the total area, which will be jointly used by the Schools and the Recreation Department, meet with the approval of the School Authority.

"Present and voting: Ayes: Mr. Frank D. Quinn, Mr. Nash Moreno,
Dr. H. E. Brace

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"Nays: None

"Absent: Mrs. Alden Davis, Mrs. C. E. Browning, Mrs. Fagan Dickson
Miss Margaret Louise Hill, Mr. W. T. Caswell, Mr. V. A. Kormeier

"Dr. D. K. Brace, Chairman
PARKS AND RECREATION BOARD"

Councilman Long moved that subject to the approval of the Schools, the City Manager be instructed to move out on this recommendation to the City by the Park's Board. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Travis County Water Control and Improvement District No. 9 providing for the sale and delivery of water by the City of Austin to the District, for the management of the affairs of said District, and for the performance of the City of various services for the District.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"February 19, 1957

"To the City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work of
Improving Portions of Jackson Avenue,
being Paving Skip Assessment Contract
MC-914-8-1 Units 1 & 2

"The work of improving portions of Jackson Avenue, being Paving Skip Assessment Contract MC-914-8-1, Units 1 & 2, has been performed and completed by Giesen & Latson Construction Company in full compliance with the contract and the plans and specifications therein contained dated August 22, 1956, between the City of Austin through the Texas Highway Department and Giesen & Latson Construction Company.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans and specifications referred to above.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works"

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING CERTAIN PORTIONS OF JACKSON AVENUE IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY GIESEN & LATSON CONSTRUCTION COMPANY, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Discussions were held on paving. The Mayor inquired about some intersections that were not paved whereas the streets were. It was thought this particular intersection was Grover and Brentwood, and there was a storm sewer needed and the intersection was not yet paved. Councilman Long inquired about the policy of paving on the long side of the street, with particular reference to Koenig Lane. The City Manager explained the policy as regarding the assessment paving, but stated up to now, on the voluntary paving, that policy was not followed. He recommended amending the policy to permit the same credit on the voluntary program as was granted on the assessment programs. After discussion, Councilman Long moved to continue the same policy in the cash program as in the assessment program by giving one-third side credit or up to 50' on side lots, excluding business property, but applying only to residential property. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Palmer inquired about the amount of money the City had spent on the skip paving programs. The City Manager stated he would have a report on this; roughly, he believed about \$25,000 or \$30,000.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin, Texas, has been granted an advance of \$18,008.00 by the Housing and Home Finance Agency for survey of that certain urban renewal area situated in the City of Austin, County of Travis, and State of Texas, and generally described as follows:

Being that certain area bounded by East Seventh Street on the south, by East Twelfth Street on the north, by East Avenue on the west, and by Chicon Street on the east;

Now, Therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin is hereby authorized and directed to enter into contracts; to execute survey budgets, survey and planning budgets and requisitions for the advance of federal funds submitted to the Housing and Home Finance Administrator.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the southeast corner of the intersection of San Marcos Street and East 11th Street, which property fronts 75.3 feet on San Marcos Street and 105 feet on East 11th Street, being known as portions of Lots 1 and 2 of Block 8 of George Robertson's Subdivision in the City of Austin, Travis County, Texas, and hereby authorizes the said Tom Beatty to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted

to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if after hearing it is found by the City Council that the said Tom Beatty has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"February 21, 1957

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Tom Beatty for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southeast corner of the intersection of San Marcos Street and East 11th Street, which property fronts 75.3 feet on San Marcos Street and 105 feet on East 11th Street, being known as portions of Lots 1 and 2 of Block 8 of George Robertsons Subdivision in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Tom Beatty and is under lease to Jack Ritter Inc. Oil Company. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Tom Beatty be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles

therefrom while said motor vehicles are standing on any part of a sidewalk, street, or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2 - C - 2232.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - C - 2232 and shall be of the premoulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of Mrs. Ella N. Wooten for a building permit together with a site plan dated February 18, 1957 meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 606 West 6th Street, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of an

office building the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is ten parking spaces; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Ten (10) spaces is an adequate number of parking spaces for the establishment shown on the site plan of Mrs. Ella N. Wooten dated February 18, 1957, for use of the premises for the purpose of an office building.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the north side of Banyon Street as a private gasoline plant consisting of a 1000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Scheumack Brothers, and is Lots 2 and 3, Northern Industrial Subdivision, of the City of Austin, Travis County, Texas, and hereby authorizes the said Scheumack Brothers to operate a private gasoline plant consisting of a 1000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and Fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Scheumack Brothers has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
February 21, 1957

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Scheumack Brothers for

permission to operate a private gasoline plant consisting of a 1000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the north side of Banyon Street, which property is designated as Lots 2 and 3, Northern Industrial Subdivision, in the City of Austin, Travis County, Texas, and locally known as 914 Banyon Street.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Nees: None

The City Manager submitted the following:

"February 20, 1957

"S. Reuben Rountree, Jr.
Director of Public Works

W. T. Williams, Jr., City Manager

"Construction of a Storm Sewer in West Oltorf Street - Contract 57-D-1

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, February 19, 1957, for the construction of a storm sewer in West Oltorf Street from South 1st Street to Oak Crest Avenue.

"Austin Engineering Company	\$ 6,613.00
Capitol City Utilities	6,895.00
Precision Grading & Const.Co.	7,205.00
Karl Wagner Engineering Const. Inc.	7,463.50
Joe Bland Const. Co.	9,070.00
Hardin Construction Co.	9,208.00
H. B. Zachry Co.	10,911.25

"City's Estimate

6,985.00

"I recommend that Austin Engineering Company with the low bid of \$6,613.00 be awarded the contract for this project."

Councilman Palmer offered the following Resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 19, 1957, for the construction of a storm sewer in West Oltorf Street from South 1st Street to Oak Crest Avenue; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$6,613.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Austin Engineering Company in the sum of \$6,613.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Austin Engineering Company.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The City Manager submitted the following:

"February 20, 1957

"S. Reuben Rountree, Jr.
Director of Public Works

W. T. Williams, Jr., City Manager

"Construction of Storm Sewer in West 38th Street Easement, Contract 57-D-2

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, February 19, 1957, for the construction of a storm sewer in West 38th Street Easement from Shoal Creek easterly to EPL of Temple Beth Israel Property and in Seiders Avenue from West 38th Street Easement northerly to pipe in place.

"Capitol City Utilities	\$10,100.00
Austin Engineering Co.	11,130.00
H. B. Zachry Co.	12,447.50
Hardin Construction Co.	12,673.00
Joe Bland Const. Co.	12,920.00
Karl Wagner Engineering Const., Inc.	13,436.00
Precision Grading & Const. Co.	13,604.00
City's Estimate	13,100.00

"I recommend that Capitol City Utilities with their low bid of \$10,100.00 be awarded the contract for this project."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 19, 1957, for the construction of a storm sewer in West 38th Street Easement from Shoal Creek easterly to the east property line of Temple Beth Israel Property and in Seiders Avenue from West 38th Street Easement northerly to pipe in place, and,

WHEREAS, the bid of Capitol City Utilities in the sum of \$10,100.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Capitol City Utilities in the sum of \$10,100.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Capitol City Utilities.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The City Manager submitted the following:

"February 20, 1957

"S. Reuben Rountree, Jr.
Director of Public Works

W. T. Williams, Jr., City Manager

"Construction of Miscellaneous Storm Sewers - Contract 57-D-3

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, February 19, 1957, for the construction of miscellaneous storm sewers in the following areas: West 45th Street Easement, Wayside Drive Easement, Mt. Laurel Addition, South 3rd Street Easement, East 12th Street Easement, and Gaston Avenue Easement.

"Capitol City Utilities	\$4,690.00
Austin Engineering Co.	4,973.80
Precision Grading & Const. Co.	5,205.44
Joe Bland Const. Co.	7,934.00
Karl B. Wagner Engr. Const., Inc.	8,502.40
Hardin Const. Co.	8,542.40
H. B. Zachry	9,837.00
City's Estimate	\$5,063.00

"I recommend that Capitol City Utilities with their low bid of \$4,690.00 be awarded the contract for this project."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 19, 1957, for the construction of miscellaneous storm sewers in West 45th Street Easement, Wayside Drive Easement, Mt. Laurel Addition, South 3rd Street Easement, East 12th Street Easement, and Gaston Avenue Easement; and,

WHEREAS, the bid of Capitol City Utilities in the sum of \$4,690.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Capitol City Utilities in the sum of \$4,690.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Capitol City Utilities.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MAYOR MILLER conveyed a message of thanks from MR. WILLIE BARTEE for the water in St. Johns Addition, stating the pressure was fine, the fire plugs had reduced the insurance rate, and they were well pleased. Also the South Austin Civic Club had expressed appreciation to the Council for cooperation in enlarging the sewer line.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, M. Z. Collins is the Contractor for the erection of a building located at 606 West 6th Street and desires a portion of the sidewalk and street space abutting Lots 1 and 2, Block 99, of the Original City of Austin, Travis County, Texas, during the erection of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said M. Z. Collins, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in a southerly direction and at right angles to the center line of West 6th Street to a point 12 feet south of the north curb line; thence in a westerly direction and parallel with the center line of West 6th Street approximately 79 feet to a point; thence in a northerly direction and at right angles to the center line

of West 6th Street to the south line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said M. S. Collins, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "NoParking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That the provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than June 1, 1957.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1000), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Council recessed until 2:30.

Recessed Meeting

2:30 P.M.

At 2:30 P.M., the Council met with the Planning Board. MR. KUEHNE, MR. RAINEY, MR. GUSTAFSON, MRS. MITCHELL, MR. SPILLMAN, MR. BARROW, MR. KINSER, and DR. WEBB were present.

MRS. MITCHELL stated the Board wanted to report on the activities of the Planning Board since the last meeting, and to discuss the preparation and printing of the report of the development plan and the methods of getting it before the public. A few meetings with the Parks Board, Health Department, and School Board had been held. Mrs. Mitchell set out the goals to be met -- airport zoning review of the zoning ordinance as related to the development plan, a study of finances of the development plan (to be received by the Commission in two weeks), a study of the report on the Capitol improvement program as it relates to the development plan (to be received by the Commission late in March), and a study of the Central business district (to be received by the Commission in March). To take the Development Plan to the public, the Commission had recommended an audio-visual program of about 28-30 minutes, which would cost approximately \$900.00. Copies of the script were filed with the Council. Also, the Commission recommended printed reports - one small one for popular consumption and a technical report. To provide 4,000 copies of the popular report, 750 of the technical report and 3,000 copies of the maps, it would take \$4,500. For the preparation of this by the consulting firm, it would take approximately \$800 more than what had been set up in the budget for this. A charge of 50¢ and \$2.50 for the two reports had been recommended. The maps would be distributed

without charge. The Council went over the script very carefully and made certain suggestions. It was to be emphasized that the development plan was a long range plan and could not be financed over a five year period -- that the bond money was already earmarked for the next five year period or more. Discussion on state enabling legislation was held, as the paragraph appeared on Page 5 of the script. The Mayor announced the Council would go over the script and bring it up again in about two weeks. Also, it would make a decision on the \$800 for printing, and the \$900 for the audio-visual program at the same time.

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Plan Commission, and set for public hearing before the Council on March 28th:

LESTER WILLIAMS	1108-12 Koenig Lane 5901-03 Grover Avenue	From "A" Residence To "LR" Local Retail
GRACE CHURCH OF THE NAZARENE	4312-4314 Alice Avenue 1305-07 W. 44th St.	From "A" Residence To "C" Commercial
MISS JAMIE F. PALM	7607-7709 Burnet Road	From "A" Residence To "C" Commercial
V. R. SPARKS & C. R. RAILSBACK	5011 Duval	From "A" Residence To "C" Commercial
W. M. GODWIN	1700-04 Fortview Road 4208-10 Clawson Road	From "A" Residence To "GR" General Retail
HAROLD G. SCHROEDER, Lessee	8234-8312 North Lamar Boulevard	From "C" Commercial To "C-1" Commercial
E. J. LUND	5414 Grover Avenue 1201-03 Houston St.	From "A" Residence To "LR" Local Retail
PAUL O. SIMMS	3001-3127 E. 4th St. 305-15 Linden 304-14 Tillery	From "D" Industrial To "A" Residence
R. H. PATE	1410 Nickerson & 108-114 E. Elizabeth	From "A" Residence To "C" Commercial
MRS. ALVINE FLURY	1203 So. Congress Ave.	From "C-1" Commercial To "C-2" Commercial
NASH PHILLIPS CLYDE COPUS	E. side - 5800 Block Berkman Drive S. side - 1700 Block Briarcliff and 5806-10 Manor Hills Blvd.	From "B" Residence To "GR" General Retail
LOUIS C. HAUSMAN, JR.	6018-6102 Cameron Road	From "A" Residence To "GR" General Retail

C. T. USELTON	6000-04 Cameron Road	From "A" Residence
	1126-1132 Clayton Lane	To "GR" General Retail
AUSTIN CIVIC THEATRE	1531-1533 Toomey Road	From "C" Commercial
		To "C-1" Commercial
NORMAN L. LARSON	6901-6935 Inter- regional Highway	From "A" Residence 1st & "D" Industrial 6th
	800-916 Atkinson Road	To "D" Industrial 6th

There being no further business, the Council adjourned at 4:20 P.M.,
subject to the call of the Mayor.

APPROVED:

Tom Miller
Mayor

ATTEST:

Elaine Hooley
City Clerk